

Adopted	Rejected
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## COMMITTEE REPORT

YES:	10
NO:	3

### MR. SPEAKER:

*Your Committee on Insurance, Corporations and Small Business, to which was referred House Bill 1164, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between lines 4 and 5, begin a new paragraph and insert:
- 2 "Sec. 1. As used in this chapter, "claim loss" means a claim paid
- 3 under a property and casualty insurance policy, including a claim
- 4 for:
- 5 (1) bodily injury;
- 6 (2) property damage;
- 7 (3) medical payments;
- 8 (4) collision coverage;
- 9 (5) comprehensive coverage;
- 10 (6) car rental coverage; or
- 11 (7) towing coverage."
- 12 Page 1, line 5, delete "1." and insert "2."
- 13 Page 1, line 7, delete "2." and insert "3."
- 14 Page 1, line 13, delete "3." and insert "4."
- 15 Page 1, line 15, delete "4." and insert "5."
- 16 Page 2, line 1, delete "5." and insert "6."

- 1 Page 2, line 4, delete "6." and insert "7."
- 2 Page 2, line 6, delete "7." and insert "8."
- 3 Page 2, line 11, delete "8." and insert "9."
- 4 Page 2, line 20, delete "9." and insert "10. (a)".
- 5 Page 2, between lines 28 and 29, begin a new paragraph and insert:
- 6 **"(b) An insurer violates subsection (a) by offering continuing**
- 7 **coverage under subsection (a) if the policyholder has:**
- 8 **(1) continuously maintained a property and casualty**
- 9 **insurance policy issued by the insurer;**
- 10 **(2) had no claim loss on the policy specified in subdivision (1);**
- 11 **and**
- 12 **(3) had no moving traffic violations;**
- 13 **during the three (3) years immediately preceding the date on which**
- 14 **the insurer offers to provide continuing coverage.**
- 15 **Sec. 11. If the credit score of an applicant or a policyholder is**
- 16 **adversely affected or cannot be generated because the credit**
- 17 **history of the applicant or policyholder is insufficient, an insurer**
- 18 **may:**
- 19 **(1) use additional credit related underwriting criteria that**
- 20 **have been filed with the commissioner;**
- 21 **(2) apply underwriting criteria to the applicant or**
- 22 **policyholder as if the applicant or policyholder had a neutral**
- 23 **credit history, as defined in the insurer's underwriting**
- 24 **guidelines or rate making standards; or**
- 25 **(3) exclude the use of credit as a factor in the underwriting**
- 26 **process."**
- 27 Page 2, line 29, delete "10." and insert "12."
- 28 Page 2, line 37, delete "11." and insert "13."
- 29 Page 3, line 8, delete "12." and insert "14."
- 30 Page 3, line 10, delete "13." and insert "15."
- 31 Page 3, line 13, delete "14." and insert "16. An insurance producer
- 32 **licensed under IC 27-1-15.6 is not liable in any action arising from**
- 33 **the use of a credit score by an insurer.**
- 34 **Sec. 17."**
- 35 Page 3, line 16, delete "IC 27-2-21-10.1" and insert "IC
- 36 27-2-21-12.1".
- 37 Page 3, line 18, delete "10.1." and insert "12.1."
- 38 Page 3, line 20, delete "10" and insert "12".

- 1 Page 3, line 25, delete "10" and insert "**12**".
  - 2 Page 4, delete line 2.
  - 3 Page 9, after line 42, begin a new paragraph and insert:
  - 4 "SECTION 4. IC 34-30-2-111.8 IS ADDED TO THE INDIANA
  - 5 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
  - 6 [EFFECTIVE JULY 1, 2002]: **Sec. 111.8. IC 27-2-21-16 (Concerning**
  - 7 **an insurance producer and an insurer's use of a credit score).**".
- (Reference is to HB 1164 as introduced.)

**and when so amended that said bill do pass.**

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Representative Crooks